

CASE NOS. PD-0695-20, PD-0696-20, PD-0697-20

In The
COURT OF CRIMINAL APPEALS
OF
THE STATE OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
4/1/2021
DEANA WILLIAMSON, CLERK

DAVID EARL SPILLMAN, Appellant

VS.

THE STATE OF TEXAS, Appellee

On Petition for Discretionary Review from the
5th District Court of Appeals, Dallas, Texas
Appellate Cause Nos. 05-19-00530, 05-19-00531, 05-19-00532

STATE'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF

NOBLE DAN WALKER, JR.
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STATE'S MOTION FOR EXTENSION OF TIME TO FILE STATE'S BRIEF

Comes now, The State of Texas, and files this first Motion for Extension of Time to File State's Brief.

I.

The current filing deadline for the State's brief is March 31, 2021. The State requests a thirty day extension, until April 30, 2021, to file its brief.

II.

During the last thirty days, the attorney responsible for this appeal has been completing additional research to prepare the State's brief in this case. In addition, during the past thirty days, the Hunt County District Attorney's Office has been preparing to begin jury trials again starting Monday, April 5, 2021. As First Assistant, the attorney assigned this appeal has been assisting other prosecutors in the office for the trial re-start as well as handling his own trial docket, complete with two murder cases¹ and six child abuse cases² among others, scheduled to go to trial before the end of June, 2021.

III.

For the reasons stated herein, the State requests an additional thirty days to complete and the file the brief in this appeal. Therefore, it is respectfully requested this Court grant the State of Texas an extension until April 30, 2021 to

¹ State v. Matthew Pride, Cause No. 32,744CR and State v. Carl Welch, Cause No. 31,927.

² State v. Jeremy Muncy, Cause No. 33,093CR, State v. Thomas Tottten, Cause No. 33,225CR, State v. Johnny Solis, Jr., Cause Nos. 32,640CR and 32,641CR, State v. Joshua Mercado, Cause No. 32,588CR, State v. Shayne Martin, Cause No. 32,642CR and State v. Alexander Sims, Cause Nos. 33,252CR and 33,253CR.

file its brief.

Respectfully submitted,

/s/ Steven Lilley
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CERTIFICATE OF SERVICE

This is to certify that a true copy of this Motion to Extend Time to File State's Brief has been served upon Mark Bennett, attorney for Appellant, on this the 31st day of March, 2021.

/s/ Steven Lilley
Steven Lilley
Noble D. Walker, Jr.

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Associated Case Party: State of Texas

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Stacey Soule	24031632	information@spa.texas.gov	3/31/2021 10:43:44 AM	SENT
Steven Lilley		slilley@huntcounty.net	3/31/2021 10:43:44 AM	SENT

Associated Case Party: David Spillman

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Lane Haygood	24066670	efile@haygoodlawfirm.com	3/31/2021 10:43:44 AM	SENT